

WINSTON & STRAWN

ONE FIRST NATIONAL PLAZA
CHICAGO, ILLINOIS 60603

(312) 558-5600
TWX 910-221-5467
TELECOPIER (312) 558-5854

FREDERICK H. WINSTON (1853-1886)
SILAS H. STRAWN (1891-1946)

JAMES A. VROMAN
(312) 558-5820

April 20, 1988

WASHINGTON, D.C. OFFICE
2550 M STREET, N.W.
WASHINGTON, D.C. 20037
(202) 828-8400

PHOENIX OFFICE
2300 GREAT AMERICAN TOWER
3200 NORTH CENTRAL AVENUE
PHOENIX, ARIZONA 85012
(602) 279-8500

TUCSON OFFICE
SUITE 600
5210 EAST WILLIAMS CIRCLE
WILLIAMS CENTRE
TUCSON, ARIZONA 85711
(602) 747-9901

VIA MESSENGER

Ms. Susan Swales
U.S. EPA - Region V
Waste Management Division
CERCLA Enforcement Section
230 South Dearborn Street
Chicago, Illinois 60604

Re: Ninth Avenue Dump, Gary, Indiana;
U.S. Scrap, Chicago, Illinois

Dear Ms. Swales:

This letter confirms the substance of the phone conference we had on April 19, 1988. As I informed you during our phone conversation, I, and my law firm, represent The Boler Company and its subsidiary Hendrickson Manufacturing Company, a Delaware Corporation ("Hendrickson").

As I mentioned to you during our phone conversation, Mr. Louis Rundio of McDermott, Will & Emery sent you a letter on April 5, 1988 requesting that Hendrickson Manufacturing Company have until the end of April to respond to the discovery request contained in the March 9, 1988 P.R.P. letter. I do not know if Mr. Rundio sent the letter on behalf of Hendrickson Manufacturing Corporation, an Illinois corporation, Hendrickson Mobile Equipment, Inc., or my client, Hendrickson. In any event, I assumed we had until the end of April to respond to the P.R.P. letter and you have kindly agreed to give me until April 29, to respond to this letter on behalf of Hendrickson.

I should advise you that we are looking into whether our client, Hendrickson, should even formally respond to the March 9, P.R.P. letter. It is my understanding Hendrickson acquired the manufacturing facility located at 8001 47 Street, Lyons, Illinois, pursuant to an Asset Purchase Agreement in December of 1978. We are reviewing that Agreement to determine whether our client or Hendrickson Manufacturing Corporation, an

US EPA RECORDS CENTER REGION 5



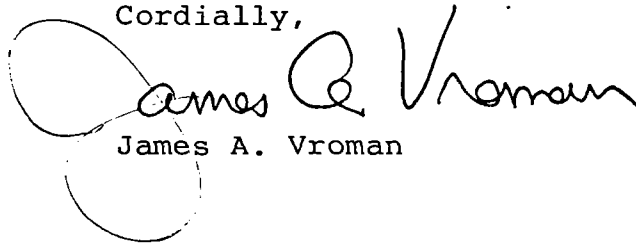
410358

10807

Ms. Susan Swales
April 20, 1988
Page Two

Illinois corporation, and "the Seller" identified in that Agreement, is the appropriate entity to respond to the P.R.P. letter. We intend to provide you with our conclusion on or before April 29. Your accommodation in this regard is greatly appreciated.

Cordially,

A handwritten signature in dark ink, appearing to read "James A. Vroman". The signature is stylized with a large, looping initial "J" and a long, sweeping horizontal stroke at the end.

James A. Vroman

JAV:wgc